



# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

319E0036

SENATE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1003** - 02/23/2001

Introduced by: Representatives Monroe, McCoy, and Slaughter and Senators Ham and Madden at the request of the Interim Judiciary Committee

1 FOR AN ACT ENTITLED, An Act to prohibit the use of genetic tests in the offer, sale, or  
2 renewal of certain types of insurance.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Terms used in this Act mean:

5 (1) "Genetic test," a test of human DNA, RNA, chromosomes, or genes performed in  
6 order to identify the presence or absence of an inherited variation, alteration, or  
7 mutation which is associated with predisposition to disease, illness, impairment, or  
8 other disorder. Genetic test does not mean a routine physical measurement; a  
9 chemical, blood, or urine analysis; a test for drugs or HIV infection; any test  
10 commonly accepted in clinical practice; or any test performed due to the presence of  
11 signs, symptoms, or other manifestations of a disease, illness, impairment, or other  
12 disorder;

13 (2) "Health carrier," any person who provides health insurance in this state. The term  
14 includes a licensed insurance company, a prepaid hospital or medical service plan, a

1 health maintenance organization, a multiple employer welfare arrangement, a fraternal  
2 benefit contract, or any person providing a plan of health insurance subject to state  
3 insurance regulation;

4 (3) "Health insurance," insurance provided pursuant to chapters 58-17 (except disability  
5 income insurance), 58-17C, 58-18 (except disability income insurance), 58-18B, 58-  
6 38, 58-40, and 58-41; and

7 (4) "Individual," an applicant for coverage or a person already covered by a health carrier.

8 Section 2. No health carrier, in determining eligibility for coverage, establishing premiums,  
9 limiting coverage, renewing coverage, or any other underwriting decision, may, in connection  
10 with the offer, sale, or renewal of health insurance:

11 (1) Require or request an individual or a blood relative of the individual to take a genetic  
12 test;

13 (2) Take into consideration the fact that a genetic test was refused by an individual or a  
14 blood relative of the individual; or

15 (3) Take into consideration the results of an individual's genetic test.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0230

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1024** - 02/23/2001

Introduced by: The Committee on State Affairs at the request of the Department of  
Corrections

1 FOR AN ACT ENTITLED, An Act to authorize the release of certain information about adult  
2 inmates and parolees to victims, the community, and governmental entities.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 23-5-7 be amended to read as follows:

5 23-5-7. All photographs, impressions, measurements, descriptions, or records including  
6 confidential criminal investigative information, taken or made as provided for in § 23-5-6 shall  
7 be filed and preserved ~~in~~ by the department or institution where made or taken and shall not be  
8 published, transferred, or circulated outside such department or institutions, nor exhibited to the  
9 public or any person or persons except duly authorized ~~peace~~ law enforcement officers unless  
10 the subject of such photograph, measurement, description, or other record ~~shall have become~~  
11 becomes a fugitive from justice, or ~~shall have escaped~~ escapes from a penal ~~or reformatory~~  
12 institution. However, this section shall not apply to the release of information allowed pursuant  
13 to § 24-2-20.

14 Section 2. That § 24-15-1 be amended to read as follows:

1       24-15-1. If a defendant is sentenced to the state penitentiary, the Department of Corrections  
2 shall develop a file which shall contain a complete history of the defendant. The executive  
3 director of the Board of Pardons and Paroles shall generate an adequate case history of each  
4 inmate of the state penitentiary to enable him to make recommendations to the Board of Pardons  
5 and Paroles. The case history shall be transferred and kept as a permanent record of the  
6 Department of Corrections, solely for the proper supervision of the inmate by the Department  
7 of Corrections and as a guide to his needs. ~~Such~~ Except for the information authorized for  
8 release pursuant to § 24-2-20, such file may shall not be inspected by anyone other than members  
9 of the Board of Pardons and Paroles, its executive director, the secretary of corrections and any  
10 person specifically delegated for such access by the secretary of corrections, unless otherwise  
11 ordered by a circuit court.

12       Section 3. That § 24-15A-14 be amended to read as follows:

13       24-15A-14. If a defendant is sentenced to prison, the department shall develop a file which  
14 shall contain a complete history of the defendant. ~~The~~ Except for the information authorized for  
15 release pursuant to § 24-2-20, the record shall be a permanent record of the department, solely  
16 for the proper supervision of the inmate by the department and as a guide to the inmate's needs.  
17 The file may not be inspected by anyone other than members of the board, its executive director,  
18 the secretary and any person specifically delegated for such access by the secretary, unless  
19 otherwise ordered by a circuit court.

20       Section 4. That § 24-2-20 be amended to read as follows:

21       24-2-20. Notwithstanding the provisions of § 24-1-26, the records and any other facts that  
22 may have come to the knowledge of the warden and ~~his~~ the warden's opinion, when requested,  
23 regarding the fitness of any inmate, sentenced as an adult, for a modification of sentence, parole,  
24 pardon, or early release shall be furnished only to the sentencing court, the secretary of

1 corrections, the Board of Pardons and Parole, or the Governor. The Department of Corrections  
2 may release the following information on any inmate or parolee sentenced as an adult for  
3 purposes of community and victim notification pursuant to subdivisions 23A-28C-1(10) and  
4 (12), §§ 23A-28C-5, 24-15-8.1, 24-15-8.2, and 24-15A-22, and to other governmental entities  
5 as defined in section 5 of this Act:

- 6 (1) Name and any known aliases;
- 7 (2) Date of birth;
- 8 (3) Race and gender;
- 9 (4) Location of incarceration;
- 10 (5) Community of residence;
- 11 (6) Custody status and conditions of supervision;
- 12 (7) Any Department of Corrections sentence identification number;
- 13 (8) Any crime of conviction;
- 14 (9) Number of felony convictions;
- 15 (10) Sentence, time suspended, jail time credit, and revoked good-time credits;
- 16 (11) Offense, sentence, admission, release, and parole eligibility dates;
- 17 (12) Dates of pending hearings and final determinations of parole, suspended sentence,  
18 pardon, and commutation hearings;
- 19 (13) Status as an inmate, parolee, or person who has completed a prison term;
- 20 (14) County of conviction;
- 21 (15) Plea;
- 22 (16) Citizenship status; and
- 23 (17) Birth town, state, and country.

24 Section 5. That chapter 24-2 be amended by adding thereto a NEW SECTION to read as

1 follows:

2 As used in section 4 of this Act, the term, governmental entities, means any department,  
3 division, or other public agency of a municipality, county, state, or nation.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0315

HOUSE JUDICIARY COMMITTEE ENGROSSED NO.

**HB 1032 - 01/16/2001**

Introduced by: The Committee on Judiciary at the request of the South Dakota  
Commission on Child Support

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to child support.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 25-7-6.2 be amended to read as follows:

4 25-7-6.2. The child support obligation shall be established in accordance with the **combined**  
5 ~~monthly net income of both parents as provided in the~~ following schedule subject to such  
6 revisions or deviations as may be permitted pursuant to §§ 25-7-6.1 to ~~25-7-6.17~~ 25-7-6.18,  
7 inclusive. Except as provided in this chapter, the combined monthly net incomes of both parents  
8 shall be used in determining the obligation and divided proportionately between the parents based  
9 upon their respective net incomes. The noncustodial parent's proportionate share establishes the  
10 amount of the child support order.

11 If the obligation using only the noncustodial parent's monthly net income is an obligation  
12 within the emboldened areas of the schedule, that amount shall be compared to the noncustodial  
13 parent's proportionate share using both parents' monthly net incomes. The lesser amount  
14 establishes the noncustodial parent's child support order.

1	Combined						
2	Net						
3	Monthly	One	Two	Three	Four	Five	Six
4	Income	Child	Children	Children	Children	Children	Children
5	0-1,000	50	50	50	50	50	50
6	1,050	74	75	76	77	78	78
7	1,100	119	121	122	123	125	126
8	1,150	164	166	168	170	172	173
9	1,200	209	212	214	216	219	221
10	1,250	254	257	260	263	266	268
11	1,300	299	303	306	309	313	316
12	1,350	322	348	352	356	360	363
13	1,400	333	394	398	402	407	411
14	1,450	344	439	444	449	454	458
15	1,500	355	485	490	495	501	506
16	1,550	366	530	536	542	548	553
17	1,600	378	547	582	588	595	601
18	1,650	389	563	628	635	642	648
19	1,700	400	579	674	681	689	696
20	1,750	411	595	701	728	736	743
21	1,800	422	611	719	774	783	791
22	1,850	434	627	737	815	830	838
23	1,900	443	641	754	833	877	886
24	1,950	452	654	769	849	921	933
25	2,000	460	666	783	866	938	981
26	2,050	469	678	798	882	956	1,023
27	2,100	477	691	813	898	974	1,042
28	2,150	485	703	828	914	991	1,061

1	2,200	494	715	842	931	1,009	1,079
2	2,250	502	728	857	947	1,026	1,098
3	2,300	510	739	870	962	1,043	1,116
4	2,350	515	745	878	970	1,051	1,125
5	2,400	520	752	885	978	1,060	1,134
6	2,450	524	758	892	986	1,068	1,143
7	2,500	529	765	899	993	1,077	1,152
8	2,550	534	771	906	1,001	1,085	1,161
9	2,600	538	778	913	1,009	1,094	1,171
10	2,650	543	784	921	1,017	1,103	1,180
11	2,700	548	791	928	1,025	1,111	1,189
12	2,750	555	800	938	1,037	1,124	1,203
13	2,800	562	810	950	1,050	1,138	1,217
14	2,850	569	820	961	1,062	1,151	1,232
15	2,900	576	830	973	1,075	1,165	1,247
16	2,950	583	840	984	1,088	1,179	1,262
17	3,000	590	850	996	1,100	1,193	1,276
18	3,050	598	860	1,007	1,113	1,207	1,291
19	3,100	605	870	1,019	1,126	1,220	1,306
20	3,150	611	880	1,030	1,138	1,234	1,320
21	3,200	618	889	1,041	1,150	1,247	1,334
22	3,250	624	898	1,052	1,163	1,260	1,348
23	3,300	630	907	1,063	1,175	1,273	1,363
24	3,350	637	917	1,074	1,187	1,287	1,377
25	3,400	643	926	1,085	1,199	1,300	1,391
26	3,450	649	935	1,096	1,211	1,313	1,405
27	3,500	656	944	1,107	1,233	1,326	1,419
28	3,550	662	954	1,118	1,236	1,340	1,433
29	3,600	670	965	1,131	1,249	1,354	1,449

1	3,650	677	975	1,143	1,263	1,369	1,465
2	3,700	685	986	1,155	1,276	1,384	1,480
3	3,750	692	997	1,167	1,290	1,398	1,496
4	3,800	700	1,007	1,180	1,303	1,413	1,512
5	3,850	707	1,018	1,192	1,317	1,428	1,527
6	3,900	715	1,028	1,204	1,330	1,442	1,543
7	3,950	723	1,039	1,216	1,344	1,457	1,559
8	4,000	729	1,049	1,227	1,356	1,470	1,573
9	4,050	736	1,058	1,238	1,369	1,483	1,587
10	4,100	742	1,067	1,249	1,381	1,497	1,601
11	4,150	749	1,077	1,261	1,393	1,510	1,616
12	4,200	755	1,086	1,272	1,405	1,523	1,630
13	4,250	762	1,096	1,283	1,417	1,536	1,644
14	4,300	768	1,105	1,294	1,429	1,549	1,658
15	4,350	775	1,114	1,305	1,442	1,563	1,672
16	4,400	781	1,124	1,316	1,454	1,576	1,686
17	4,450	788	1,133	1,327	1,466	1,589	1,700
18	4,500	794	1,143	1,338	1,478	1,602	1,714
19	4,550	801	1,152	1,349	1,490	1,615	1,729
20	4,600	807	1,161	1,359	1,502	1,628	1,742
21	4,600	812	1,168	1,368	1,512	1,639	1,754
22	4,700	817	1,176	1,377	1,522	1,650	1,765
23	4,750	822	1,183	1,386	1,532	1,661	1,777
24	4,800	826	1,190	1,396	1,542	1,672	1,789
25	4,850	831	1,198	1,405	1,552	1,683	1,800
26	4,900	836	1,205	1,414	1,562	1,694	1,812
27	4,950	841	1,213	1,423	1,572	1,705	1,824
28	5,000	846	1,220	1,432	1,583	1,716	1,836
29	5,050	851	1,228	1,441	1,593	1,727	1,847

1	5,100	856	1,235	1,451	1,603	1,737	1,859
2	5,150	861	1,243	1,460	1,613	1,748	1,871
3	5,200	866	1,250	1,469	1,623	1,759	1,883
4	5,250	871	1,257	1,478	1,633	1,770	1,894
5	5,300	876	1,265	1,487	1,643	1,781	1,906
6	5,350	880	1,272	1,496	1,653	1,792	1,918
7	5,400	885	1,280	1,505	1,663	1,803	1,929
8	5,450	891	1,288	1,516	1,675	1,816	1,943
9	5,500	898	1,298	1,527	1,687	1,829	1,957
10	5,550	904	1,307	1,538	1,699	1,842	1,971
11	5,600	911	1,316	1,549	1,711	1,855	1,985
12	5,650	917	1,326	1,560	1,723	1,868	1,999
13	5,700	923	1,335	1,571	1,735	1,881	2,013
14	5,750	930	1,344	1,582	1,748	1,894	2,027
15	5,800	936	1,353	1,592	1,760	1,907	2,041
16	5,850	943	1,363	1,603	1,772	1,921	2,055
17	5,900	949	1,372	1,614	1,784	1,934	2,069
18	5,950	955	1,381	1,625	1,796	1,947	2,083
19	6,000	962	1,390	1,636	1,808	1,960	2,097
20	6,050	968	1,400	1,647	1,820	1,973	2,111
21	6,100	975	1,409	1,658	1,832	1,986	2,125
22	6,150	981	1,418	1,669	1,844	1,999	2,139
23	6,200	987	1,427	1,680	1,856	2,012	2,153
24	6,250	994	1,437	1,691	1,869	2,026	2,167
25	6,300	1,000	1,446	1,702	1,881	2,039	2,181
26	6,350	1,007	1,455	1,713	1,893	2,052	2,195
27	6,400	1,013	1,465	1,724	1,905	2,065	2,209
28	6,450	1,019	1,474	1,735	1,917	2,078	2,223
29	6,500	1,026	1,483	1,746	1,929	2,091	2,238

1	6,550	1,032	1,492	1,757	1,941	2,104	2,252
2	6,600	1,039	1,502	1,768	1,953	2,117	2,266
3	6,650	1,045	1,511	1,779	1,965	2,130	2,280
4	6,700	1,051	1,520	1,790	1,977	2,144	2,294
5	6,750	1,058	1,529	1,801	1,990	2,157	2,308
6	6,800	1,064	1,539	1,811	2,002	2,170	2,322
7	6,850	1,071	1,548	1,822	2,014	2,183	2,336
8	6,900	1,077	1,557	1,833	2,026	2,196	2,350
9	6,950	1,083	1,567	1,844	2,038	2,209	2,364
10	7,000	1,090	1,576	1,855	2,050	2,222	2,378
11	7,050	1,096	1,585	1,866	2,062	2,235	2,392
12	7,100	1,102	1,594	1,877	2,074	2,248	2,405
13	7,150	1,108	1,602	1,886	2,084	2,259	2,417
14	7,200	1,113	1,610	1,895	2,094	2,270	2,429
15	7,250	1,118	1,617	1,904	2,104	2,281	2,441
16	7,300	1,124	1,625	1,914	2,115	2,292	2,453
17	7,350	1,129	1,633	1,923	2,125	2,303	2,465
18	7,400	1,135	1,641	1,932	2,135	2,315	2,477
19	7,450	1,140	1,649	1,942	2,146	2,326	2,489
20	7,500	1,145	1,657	1,951	2,156	2,337	2,500
21	7,550	1,151	1,664	1,960	2,166	2,348	2,512
22	7,600	1,156	1,672	1,970	2,176	2,359	2,524
23	7,650	1,161	1,680	1,979	2,187	2,370	2,536
24	7,700	1,167	1,688	1,988	2,197	2,381	2,548
25	7,750	1,172	1,696	1,997	2,207	2,393	2,560
26	7,800	1,178	1,704	2,007	2,217	2,404	2,572
27	7,850	1,183	1,712	2,016	2,228	2,415	2,584
28	7,900	1,188	1,719	2,025	2,238	2,426	2,596
29	7,950	1,194	1,727	2,035	2,248	2,437	2,608

1	8,000	1,199	1,735	2,044	2,258	2,448	2,620
2	8,050	1,205	1,743	2,053	2,269	2,459	2,632
3	8,100	1,210	1,751	2,062	2,279	2,471	2,643
4	8,150	1,215	1,759	2,072	2,289	2,482	2,655
5	8,200	1,221	1,767	2,081	2,300	2,493	2,667
6	8,250	1,226	1,774	2,090	2,310	2,504	2,679
7	8,300	1,231	1,782	2,100	2,320	2,515	2,691
8	8,350	1,237	1,790	2,109	2,330	2,526	2,703
9	8,400	1,242	1,798	2,118	2,341	2,537	2,715
10	8,450	1,248	1,806	2,128	2,351	2,548	2,727
11	8,500	1,253	1,814	2,137	2,361	2,560	2,739
12	8,550	1,258	1,821	2,146	2,371	2,571	2,751
13	8,600	1,264	1,829	2,155	2,382	2,582	2,763
14	8,650	1,269	2,837	2,165	2,392	2,593	2,775
15	8,700	1,275	1,845	2,174	2,402	2,604	2,786
16	8,750	1,280	1,853	2,183	2,413	2,615	2,798
17	8,800	1,285	1,861	2,193	2,423	2,626	2,810
18	8,850	1,291	1,869	2,202	2,433	2,638	2,822
19	8,900	1,296	1,876	2,211	2,443	2,649	2,834
20	8,950	1,301	1,884	2,221	2,454	2,660	2,846
21	9,000	1,307	1,892	2,230	2,464	2,671	2,858
22	9,050	1,312	1,900	2,239	2,474	2,682	2,870
23	9,100	1,318	1,908	2,248	2,484	2,693	2,882
24	9,150	1,323	1,916	2,258	2,495	2,704	2,894
25	9,200	1,328	1,924	2,267	2,505	2,715	2,906
26	9,250	1,334	1,931	2,276	2,515	2,727	2,918
27	9,300	1,339	1,939	2,286	2,526	2,738	2,929
28	9,350	1,345	1,947	2,295	2,536	2,749	2,941
29	9,400	1,350	1,955	2,304	2,546	2,760	2,953

1	9,450	1,355	1,963	2,313	2,556	2,771	2,965
2	9,500	1,361	1,971	2,323	2,567	2,782	2,977
3	9,550	1,366	1,978	2,332	2,577	2,793	2,989
4	9,600	1,371	1,986	2,341	2,587	2,805	3,001
5	9,650	1,377	1,994	2,351	2,597	2,816	3,013
6	9,700	1,382	2,002	2,360	2,608	2,827	3,025
7	9,750	1,388	2,010	2,369	2,618	2,838	3,037
8	9,800	1,393	2,018	2,379	2,628	2,849	3,049
9	9,850	1,398	2,026	2,388	2,638	2,860	3,060
10	9,900	1,404	2,033	2,397	2,649	2,871	3,072
11	9,950	1,409	2,041	2,406	2,659	2,883	3,084
12	10,000	1,415	2,049	2,416	2,669	2,894	3,096

13 ~~—The child support obligation from the schedule shall be divided proportionately between the~~  
14 ~~parents, based upon their respective net incomes. The share of the custodial parent is presumed~~  
15 ~~to be spent directly for the benefit of the child. The share of the noncustodial parent establishes~~  
16 ~~the amount of the child support order.~~

17 Monthly

18	<u>Net</u>	<u>One</u>	<u>Two</u>	<u>Three</u>	<u>Four</u>	<u>Five</u>	<u>Six</u>
19	<u>Income</u>	<u>Child</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>	<u>Children</u>
20	<u>0-800</u>	<b><u>100</u></b>	<b><u>150</u></b>	<b><u>180</u></b>	<b><u>200</u></b>	<b><u>220</u></b>	<b><u>240</u></b>
21	<u>850</u>	<b><u>125</u></b>	<b><u>175</u></b>	<b><u>205</u></b>	<b><u>225</u></b>	<b><u>245</u></b>	<b><u>265</u></b>
22	<u>900</u>	<b><u>150</u></b>	<b><u>200</u></b>	<b><u>230</u></b>	<b><u>250</u></b>	<b><u>270</u></b>	<b><u>290</u></b>
23	<u>950</u>	<b><u>175</u></b>	<b><u>225</u></b>	<b><u>255</u></b>	<b><u>275</u></b>	<b><u>295</u></b>	<b><u>315</u></b>
24	<u>1,000</u>	<b><u>200</u></b>	<b><u>250</u></b>	<b><u>280</u></b>	<b><u>300</u></b>	<b><u>320</u></b>	<b><u>340</u></b>
25	<u>1,050</u>	<b><u>225</u></b>	<b><u>275</u></b>	<b><u>305</u></b>	<b><u>325</u></b>	<b><u>345</u></b>	<b><u>365</u></b>
26	<u>1,100</u>	<b><u>250</u></b>	<b><u>300</u></b>	<b><u>330</u></b>	<b><u>350</u></b>	<b><u>370</u></b>	<b><u>390</u></b>
27	<u>1,150</u>	<b><u>275</u></b>	<b><u>325</u></b>	<b><u>355</u></b>	<b><u>375</u></b>	<b><u>395</u></b>	<b><u>415</u></b>

1	<u>1,200</u>	<u>291</u>	<u>350</u>	<u>380</u>	<u>400</u>	<u>420</u>	<u>440</u>
2	<u>1,250</u>	<u>302</u>	<u>375</u>	<u>405</u>	<u>425</u>	<u>445</u>	<u>465</u>
3	<u>1,300</u>	<u>313</u>	<u>400</u>	<u>430</u>	<u>450</u>	<u>470</u>	<u>490</u>
4	<u>1,350</u>	<u>324</u>	<u>425</u>	<u>455</u>	<u>475</u>	<u>495</u>	<u>515</u>
5	<u>1,400</u>	<u>336</u>	<u>450</u>	<u>480</u>	<u>500</u>	<u>520</u>	<u>540</u>
6	<u>1,450</u>	<u>347</u>	<u>475</u>	<u>505</u>	<u>525</u>	<u>545</u>	<u>565</u>
7	<u>1,500</u>	<u>358</u>	<u>500</u>	<u>530</u>	<u>550</u>	<u>570</u>	<u>590</u>
8	<u>1,550</u>	<u>369</u>	<u>525</u>	<u>555</u>	<u>575</u>	<u>595</u>	<u>615</u>
9	<u>1,600</u>	<u>380</u>	<u>550</u>	<u>580</u>	<u>600</u>	<u>620</u>	<u>640</u>
10	<u>1,650</u>	<u>391</u>	<u>566</u>	<u>605</u>	<u>625</u>	<u>645</u>	<u>665</u>
11	<u>1,700</u>	<u>402</u>	<u>582</u>	<u>630</u>	<u>650</u>	<u>670</u>	<u>690</u>
12	<u>1,750</u>	<u>413</u>	<u>598</u>	<u>655</u>	<u>675</u>	<u>695</u>	<u>715</u>
13	<u>1,800</u>	<u>424</u>	<u>615</u>	<u>680</u>	<u>700</u>	<u>720</u>	<u>740</u>
14	<u>1,850</u>	<u>436</u>	<u>631</u>	<u>705</u>	<u>725</u>	<u>745</u>	<u>765</u>
15	<u>1,900</u>	<u>447</u>	<u>647</u>	<u>730</u>	<u>750</u>	<u>770</u>	<u>790</u>
16	<u>1,950</u>	<u>458</u>	<u>663</u>	<u>755</u>	<u>775</u>	<u>795</u>	<u>815</u>
17	<u>2,000</u>	<u>469</u>	<u>679</u>	<u>780</u>	<u>800</u>	<u>820</u>	<u>840</u>
18	<u>2,050</u>	<u>480</u>	<u>695</u>	<u>805</u>	<u>825</u>	<u>845</u>	<u>865</u>
19	<u>2,100</u>	<u>491</u>	<u>710</u>	<u>830</u>	<u>850</u>	<u>870</u>	<u>890</u>
20	<u>2,150</u>	<u>499</u>	<u>722</u>	<u>849</u>	<u>875</u>	<u>895</u>	<u>915</u>
21	<u>2,200</u>	<u>508</u>	<u>734</u>	<u>864</u>	<u>900</u>	<u>920</u>	<u>940</u>
22	<u>2,250</u>	<u>516</u>	<u>747</u>	<u>879</u>	<u>925</u>	<u>945</u>	<u>965</u>
23	<u>2,300</u>	<u>524</u>	<u>759</u>	<u>893</u>	<u>950</u>	<u>970</u>	<u>990</u>
24	<u>2,350</u>	<u>533</u>	<u>771</u>	<u>908</u>	<u>975</u>	<u>995</u>	<u>1,015</u>
25	<u>2,400</u>	<u>541</u>	<u>784</u>	<u>923</u>	<u>1,000</u>	<u>1,020</u>	<u>1,040</u>
26	<u>2,450</u>	<u>550</u>	<u>796</u>	<u>937</u>	<u>1,025</u>	<u>1,045</u>	<u>1,065</u>
27	<u>2,500</u>	<u>558</u>	<u>808</u>	<u>952</u>	<u>1,050</u>	<u>1,070</u>	<u>1,090</u>
28	<u>2,550</u>	<u>566</u>	<u>820</u>	<u>966</u>	<u>1,068</u>	<u>1,095</u>	<u>1,115</u>
29	<u>2,600</u>	<u>571</u>	<u>827</u>	<u>973</u>	<u>1,075</u>	<u>1,120</u>	<u>1,140</u>

1	<u>2,650</u>	<u>576</u>	<u>833</u>	<u>980</u>	<u>1,083</u>	<b><u>1,145</u></b>	<b><u>1,165</u></b>
2	<u>2,700</u>	<u>580</u>	<u>840</u>	<u>988</u>	<u>1,091</u>	<b><u>1,170</u></b>	<b><u>1,190</u></b>
3	<u>2,750</u>	<u>585</u>	<u>846</u>	<u>995</u>	<u>1,099</u>	<u>1,191</u>	<b><u>1,215</u></b>
4	<u>2,800</u>	<u>590</u>	<u>852</u>	<u>1,002</u>	<u>1,107</u>	<u>1,200</u>	<b><u>1,240</u></b>
5	<u>2,850</u>	<u>594</u>	<u>859</u>	<u>1,009</u>	<u>1,115</u>	<u>1,209</u>	<b><u>1,265</u></b>
6	<u>2,900</u>	<u>599</u>	<u>865</u>	<u>1,016</u>	<u>1,123</u>	<u>1,217</u>	<b><u>1,290</u></b>
7	<u>2,950</u>	<u>604</u>	<u>872</u>	<u>1,023</u>	<u>1,131</u>	<u>1,226</u>	<u>1,312</u>
8	<u>3,000</u>	<u>609</u>	<u>878</u>	<u>1,030</u>	<u>1,139</u>	<u>1,234</u>	<u>1,321</u>
9	<u>3,050</u>	<u>615</u>	<u>888</u>	<u>1,041</u>	<u>1,150</u>	<u>1,247</u>	<u>1,334</u>
10	<u>3,100</u>	<u>622</u>	<u>898</u>	<u>1,053</u>	<u>1,163</u>	<u>1,261</u>	<u>1,349</u>
11	<u>3,150</u>	<u>630</u>	<u>908</u>	<u>1,064</u>	<u>1,176</u>	<u>1,275</u>	<u>1,364</u>
12	<u>3,200</u>	<u>637</u>	<u>918</u>	<u>1,076</u>	<u>1,189</u>	<u>1,288</u>	<u>1,379</u>
13	<u>3,250</u>	<u>644</u>	<u>928</u>	<u>1,087</u>	<u>1,201</u>	<u>1,302</u>	<u>1,393</u>
14	<u>3,300</u>	<u>651</u>	<u>938</u>	<u>1,099</u>	<u>1,214</u>	<u>1,316</u>	<u>1,408</u>
15	<u>3,350</u>	<u>658</u>	<u>948</u>	<u>1,110</u>	<u>1,227</u>	<u>1,330</u>	<u>1,423</u>
16	<u>3,400</u>	<u>665</u>	<u>958</u>	<u>1,122</u>	<u>1,239</u>	<u>1,343</u>	<u>1,438</u>
17	<u>3,450</u>	<u>673</u>	<u>968</u>	<u>1,133</u>	<u>1,252</u>	<u>1,357</u>	<u>1,452</u>
18	<u>3,500</u>	<u>679</u>	<u>977</u>	<u>1,144</u>	<u>1,265</u>	<u>1,371</u>	<u>1,467</u>
19	<u>3,550</u>	<u>686</u>	<u>987</u>	<u>1,155</u>	<u>1,277</u>	<u>1,384</u>	<u>1,481</u>
20	<u>3,600</u>	<u>692</u>	<u>996</u>	<u>1,166</u>	<u>1,289</u>	<u>1,397</u>	<u>1,495</u>
21	<u>3,650</u>	<u>698</u>	<u>1,005</u>	<u>1,177</u>	<u>1,301</u>	<u>1,410</u>	<u>1,509</u>
22	<u>3,700</u>	<u>705</u>	<u>1,014</u>	<u>1,188</u>	<u>1,313</u>	<u>1,423</u>	<u>1,523</u>
23	<u>3,750</u>	<u>711</u>	<u>1,024</u>	<u>1,199</u>	<u>1,325</u>	<u>1,437</u>	<u>1,537</u>
24	<u>3,800</u>	<u>717</u>	<u>1,033</u>	<u>1,210</u>	<u>1,337</u>	<u>1,450</u>	<u>1,551</u>
25	<u>3,850</u>	<u>723</u>	<u>1,042</u>	<u>1,221</u>	<u>1,350</u>	<u>1,463</u>	<u>1,565</u>
26	<u>3,900</u>	<u>730</u>	<u>1,051</u>	<u>1,232</u>	<u>1,362</u>	<u>1,476</u>	<u>1,579</u>
27	<u>3,950</u>	<u>737</u>	<u>1,061</u>	<u>1,244</u>	<u>1,374</u>	<u>1,490</u>	<u>1,594</u>
28	<u>4,000</u>	<u>744</u>	<u>1,072</u>	<u>1,256</u>	<u>1,388</u>	<u>1,505</u>	<u>1,610</u>
29	<u>4,050</u>	<u>752</u>	<u>1,082</u>	<u>1,268</u>	<u>1,401</u>	<u>1,519</u>	<u>1,626</u>

1	<u>4,100</u>	<u>759</u>	<u>1,093</u>	<u>1,281</u>	<u>1,415</u>	<u>1,534</u>	<u>1,641</u>
2	<u>4,150</u>	<u>767</u>	<u>1,104</u>	<u>1,293</u>	<u>1,429</u>	<u>1,549</u>	<u>1,657</u>
3	<u>4,200</u>	<u>774</u>	<u>1,114</u>	<u>1,305</u>	<u>1,442</u>	<u>1,563</u>	<u>1,673</u>
4	<u>4,250</u>	<u>782</u>	<u>1,125</u>	<u>1,317</u>	<u>1,456</u>	<u>1,578</u>	<u>1,688</u>
5	<u>4,300</u>	<u>789</u>	<u>1,136</u>	<u>1,330</u>	<u>1,469</u>	<u>1,593</u>	<u>1,704</u>
6	<u>4,350</u>	<u>797</u>	<u>1,146</u>	<u>1,342</u>	<u>1,483</u>	<u>1,607</u>	<u>1,720</u>
7	<u>4,400</u>	<u>804</u>	<u>1,157</u>	<u>1,354</u>	<u>1,496</u>	<u>1,622</u>	<u>1,735</u>
8	<u>4,450</u>	<u>811</u>	<u>1,166</u>	<u>1,365</u>	<u>1,508</u>	<u>1,635</u>	<u>1,749</u>
9	<u>4,500</u>	<u>817</u>	<u>1,176</u>	<u>1,376</u>	<u>1,520</u>	<u>1,648</u>	<u>1,763</u>
10	<u>4,550</u>	<u>824</u>	<u>1,185</u>	<u>1,387</u>	<u>1,533</u>	<u>1,661</u>	<u>1,778</u>
11	<u>4,600</u>	<u>830</u>	<u>1,194</u>	<u>1,398</u>	<u>1,545</u>	<u>1,674</u>	<u>1,792</u>
12	<u>4,650</u>	<u>837</u>	<u>1,204</u>	<u>1,409</u>	<u>1,557</u>	<u>1,688</u>	<u>1,806</u>
13	<u>4,700</u>	<u>843</u>	<u>1,213</u>	<u>1,420</u>	<u>1,569</u>	<u>1,701</u>	<u>1,820</u>
14	<u>4,750</u>	<u>850</u>	<u>1,222</u>	<u>1,431</u>	<u>1,581</u>	<u>1,714</u>	<u>1,834</u>
15	<u>4,800</u>	<u>856</u>	<u>1,232</u>	<u>1,442</u>	<u>1,593</u>	<u>1,727</u>	<u>1,848</u>
16	<u>4,850</u>	<u>863</u>	<u>1,241</u>	<u>1,453</u>	<u>1,606</u>	<u>1,740</u>	<u>1,862</u>
17	<u>4,900</u>	<u>869</u>	<u>1,251</u>	<u>1,464</u>	<u>1,618</u>	<u>1,754</u>	<u>1,876</u>
18	<u>4,950</u>	<u>876</u>	<u>1,260</u>	<u>1,475</u>	<u>1,630</u>	<u>1,767</u>	<u>1,891</u>
19	<u>5,000</u>	<u>882</u>	<u>1,269</u>	<u>1,486</u>	<u>1,642</u>	<u>1,780</u>	<u>1,905</u>
20	<u>5,050</u>	<u>889</u>	<u>1,279</u>	<u>1,497</u>	<u>1,654</u>	<u>1,793</u>	<u>1,919</u>
21	<u>5,100</u>	<u>895</u>	<u>1,288</u>	<u>1,508</u>	<u>1,666</u>	<u>1,806</u>	<u>1,932</u>
22	<u>5,150</u>	<u>900</u>	<u>1,295</u>	<u>1,517</u>	<u>1,676</u>	<u>1,817</u>	<u>1,944</u>
23	<u>5,200</u>	<u>905</u>	<u>1,303</u>	<u>1,526</u>	<u>1,686</u>	<u>1,828</u>	<u>1,956</u>
24	<u>5,250</u>	<u>910</u>	<u>1,310</u>	<u>1,535</u>	<u>1,696</u>	<u>1,839</u>	<u>1,968</u>
25	<u>5,300</u>	<u>915</u>	<u>1,318</u>	<u>1,544</u>	<u>1,706</u>	<u>1,850</u>	<u>1,979</u>
26	<u>5,350</u>	<u>920</u>	<u>1,325</u>	<u>1,553</u>	<u>1,717</u>	<u>1,861</u>	<u>1,991</u>
27	<u>5,400</u>	<u>925</u>	<u>1,332</u>	<u>1,563</u>	<u>1,727</u>	<u>1,872</u>	<u>2,003</u>
28	<u>5,450</u>	<u>930</u>	<u>1,340</u>	<u>1,572</u>	<u>1,737</u>	<u>1,883</u>	<u>2,014</u>
29	<u>5,500</u>	<u>934</u>	<u>1,347</u>	<u>1,581</u>	<u>1,747</u>	<u>1,894</u>	<u>2,026</u>

1	<u>5,550</u>	<u>939</u>	<u>1,355</u>	<u>1,590</u>	<u>1,757</u>	<u>1,905</u>	<u>2,038</u>
2	<u>5,600</u>	<u>944</u>	<u>1,362</u>	<u>1,599</u>	<u>1,767</u>	<u>1,916</u>	<u>2,050</u>
3	<u>5,650</u>	<u>949</u>	<u>1,370</u>	<u>1,608</u>	<u>1,777</u>	<u>1,927</u>	<u>2,061</u>
4	<u>5,700</u>	<u>954</u>	<u>1,377</u>	<u>1,618</u>	<u>1,787</u>	<u>1,938</u>	<u>2,073</u>
5	<u>5,750</u>	<u>959</u>	<u>1,384</u>	<u>1,627</u>	<u>1,797</u>	<u>1,948</u>	<u>2,085</u>
6	<u>5,800</u>	<u>964</u>	<u>1,392</u>	<u>1,636</u>	<u>1,808</u>	<u>1,959</u>	<u>2,097</u>
7	<u>5,850</u>	<u>969</u>	<u>1,399</u>	<u>1,645</u>	<u>1,818</u>	<u>1,970</u>	<u>2,108</u>
8	<u>5,900</u>	<u>974</u>	<u>1,407</u>	<u>1,654</u>	<u>1,828</u>	<u>1,981</u>	<u>2,120</u>
9	<u>5,950</u>	<u>979</u>	<u>1,414</u>	<u>1,663</u>	<u>1,838</u>	<u>1,992</u>	<u>2,132</u>
10	<u>6,000</u>	<u>984</u>	<u>1,422</u>	<u>1,672</u>	<u>1,848</u>	<u>2,003</u>	<u>2,143</u>
11	<u>6,050</u>	<u>990</u>	<u>1,430</u>	<u>1,683</u>	<u>1,860</u>	<u>2,016</u>	<u>2,157</u>
12	<u>6,100</u>	<u>996</u>	<u>1,440</u>	<u>1,694</u>	<u>1,872</u>	<u>2,029</u>	<u>2,171</u>
13	<u>6,150</u>	<u>1,002</u>	<u>1,449</u>	<u>1,705</u>	<u>1,884</u>	<u>2,042</u>	<u>2,185</u>
14	<u>6,200</u>	<u>1,009</u>	<u>1,458</u>	<u>1,716</u>	<u>1,896</u>	<u>2,055</u>	<u>2,199</u>
15	<u>6,250</u>	<u>1,015</u>	<u>1,468</u>	<u>1,727</u>	<u>1,908</u>	<u>2,068</u>	<u>2,213</u>
16	<u>6,300</u>	<u>1,022</u>	<u>1,477</u>	<u>1,738</u>	<u>1,920</u>	<u>2,081</u>	<u>2,227</u>
17	<u>6,350</u>	<u>1,028</u>	<u>1,486</u>	<u>1,749</u>	<u>1,932</u>	<u>2,094</u>	<u>2,241</u>
18	<u>6,400</u>	<u>1,034</u>	<u>1,495</u>	<u>1,760</u>	<u>1,944</u>	<u>2,108</u>	<u>2,255</u>
19	<u>6,450</u>	<u>1,041</u>	<u>1,505</u>	<u>1,770</u>	<u>1,956</u>	<u>2,121</u>	<u>2,269</u>
20	<u>6,500</u>	<u>1,047</u>	<u>1,514</u>	<u>1,781</u>	<u>1,968</u>	<u>2,134</u>	<u>2,283</u>
21	<u>6,550</u>	<u>1,054</u>	<u>1,523</u>	<u>1,792</u>	<u>1,981</u>	<u>2,147</u>	<u>2,297</u>
22	<u>6,600</u>	<u>1,060</u>	<u>1,532</u>	<u>1,803</u>	<u>1,993</u>	<u>2,160</u>	<u>2,311</u>
23	<u>6,650</u>	<u>1,066</u>	<u>1,542</u>	<u>1,814</u>	<u>2,005</u>	<u>2,173</u>	<u>2,325</u>
24	<u>6,700</u>	<u>1,073</u>	<u>1,551</u>	<u>1,825</u>	<u>2,017</u>	<u>2,186</u>	<u>2,339</u>
25	<u>6,750</u>	<u>1,079</u>	<u>1,560</u>	<u>1,836</u>	<u>2,029</u>	<u>2,199</u>	<u>2,353</u>
26	<u>6,800</u>	<u>1,086</u>	<u>1,569</u>	<u>1,847</u>	<u>2,041</u>	<u>2,212</u>	<u>2,367</u>
27	<u>6,850</u>	<u>1,092</u>	<u>1,579</u>	<u>1,858</u>	<u>2,053</u>	<u>2,226</u>	<u>2,381</u>
28	<u>6,900</u>	<u>1,098</u>	<u>1,588</u>	<u>1,869</u>	<u>2,065</u>	<u>2,239</u>	<u>2,395</u>
29	<u>6,950</u>	<u>1,105</u>	<u>1,597</u>	<u>1,880</u>	<u>2,077</u>	<u>2,252</u>	<u>2,410</u>

1	<u>7,000</u>	<u>1,111</u>	<u>1,607</u>	<u>1,891</u>	<u>2,089</u>	<u>2,265</u>	<u>2,424</u>
2	<u>7,050</u>	<u>1,118</u>	<u>1,616</u>	<u>1,902</u>	<u>2,102</u>	<u>2,278</u>	<u>2,438</u>
3	<u>7,100</u>	<u>1,124</u>	<u>1,625</u>	<u>1,913</u>	<u>2,114</u>	<u>2,291</u>	<u>2,452</u>
4	<u>7,150</u>	<u>1,130</u>	<u>1,634</u>	<u>1,924</u>	<u>2,126</u>	<u>2,304</u>	<u>2,466</u>
5	<u>7,200</u>	<u>1,137</u>	<u>1,644</u>	<u>1,935</u>	<u>2,138</u>	<u>2,317</u>	<u>2,480</u>
6	<u>7,250</u>	<u>1,143</u>	<u>1,653</u>	<u>1,946</u>	<u>2,150</u>	<u>2,331</u>	<u>2,494</u>
7	<u>7,300</u>	<u>1,150</u>	<u>1,662</u>	<u>1,957</u>	<u>2,162</u>	<u>2,344</u>	<u>2,508</u>
8	<u>7,350</u>	<u>1,156</u>	<u>1,671</u>	<u>1,968</u>	<u>2,174</u>	<u>2,357</u>	<u>2,522</u>
9	<u>7,400</u>	<u>1,162</u>	<u>1,681</u>	<u>1,979</u>	<u>2,186</u>	<u>2,370</u>	<u>2,536</u>
10	<u>7,450</u>	<u>1,169</u>	<u>1,690</u>	<u>1,989</u>	<u>2,198</u>	<u>2,383</u>	<u>2,550</u>
11	<u>7,500</u>	<u>1,175</u>	<u>1,699</u>	<u>2,000</u>	<u>2,210</u>	<u>2,396</u>	<u>2,564</u>
12	<u>7,550</u>	<u>1,182</u>	<u>1,709</u>	<u>2,011</u>	<u>2,223</u>	<u>2,409</u>	<u>2,578</u>
13	<u>7,600</u>	<u>1,188</u>	<u>1,718</u>	<u>2,022</u>	<u>2,235</u>	<u>2,422</u>	<u>2,592</u>
14	<u>7,650</u>	<u>1,194</u>	<u>1,727</u>	<u>2,033</u>	<u>2,247</u>	<u>2,435</u>	<u>2,606</u>
15	<u>7,700</u>	<u>1,201</u>	<u>1,736</u>	<u>2,044</u>	<u>2,259</u>	<u>2,449</u>	<u>2,620</u>
16	<u>7,750</u>	<u>1,207</u>	<u>1,746</u>	<u>2,055</u>	<u>2,271</u>	<u>2,462</u>	<u>2,634</u>
17	<u>7,800</u>	<u>1,214</u>	<u>1,755</u>	<u>2,066</u>	<u>2,283</u>	<u>2,475</u>	<u>2,648</u>
18	<u>7,850</u>	<u>1,220</u>	<u>1,764</u>	<u>2,077</u>	<u>2,295</u>	<u>2,488</u>	<u>2,662</u>
19	<u>7,900</u>	<u>1,226</u>	<u>1,772</u>	<u>2,087</u>	<u>2,306</u>	<u>2,500</u>	<u>2,675</u>
20	<u>7,950</u>	<u>1,231</u>	<u>1,780</u>	<u>2,096</u>	<u>2,316</u>	<u>2,511</u>	<u>2,687</u>
21	<u>8,000</u>	<u>1,237</u>	<u>1,788</u>	<u>2,105</u>	<u>2,327</u>	<u>2,522</u>	<u>2,699</u>
22	<u>8,050</u>	<u>1,242</u>	<u>1,796</u>	<u>2,115</u>	<u>2,337</u>	<u>2,533</u>	<u>2,710</u>
23	<u>8,100</u>	<u>1,247</u>	<u>1,804</u>	<u>2,124</u>	<u>2,347</u>	<u>2,544</u>	<u>2,722</u>
24	<u>8,150</u>	<u>1,253</u>	<u>1,812</u>	<u>2,133</u>	<u>2,357</u>	<u>2,555</u>	<u>2,734</u>
25	<u>8,200</u>	<u>1,258</u>	<u>1,820</u>	<u>2,143</u>	<u>2,368</u>	<u>2,567</u>	<u>2,746</u>
26	<u>8,250</u>	<u>1,263</u>	<u>1,827</u>	<u>2,152</u>	<u>2,378</u>	<u>2,578</u>	<u>2,758</u>
27	<u>8,300</u>	<u>1,269</u>	<u>1,835</u>	<u>2,161</u>	<u>2,388</u>	<u>2,589</u>	<u>2,770</u>
28	<u>8,350</u>	<u>1,274</u>	<u>1,843</u>	<u>2,171</u>	<u>2,398</u>	<u>2,600</u>	<u>2,782</u>
29	<u>8,400</u>	<u>1,280</u>	<u>1,851</u>	<u>2,180</u>	<u>2,409</u>	<u>2,611</u>	<u>2,794</u>

1	<u>8,450</u>	<u>1,285</u>	<u>1,859</u>	<u>2,189</u>	<u>2,419</u>	<u>2,622</u>	<u>2,806</u>
2	<u>8,500</u>	<u>1,290</u>	<u>1,867</u>	<u>2,198</u>	<u>2,429</u>	<u>2,633</u>	<u>2,818</u>
3	<u>8,550</u>	<u>1,296</u>	<u>1,874</u>	<u>2,208</u>	<u>2,440</u>	<u>2,644</u>	<u>2,830</u>
4	<u>8,600</u>	<u>1,301</u>	<u>1,882</u>	<u>2,217</u>	<u>2,450</u>	<u>2,656</u>	<u>2,842</u>
5	<u>8,650</u>	<u>1,307</u>	<u>1,890</u>	<u>2,226</u>	<u>2,460</u>	<u>2,667</u>	<u>2,853</u>
6	<u>8,700</u>	<u>1,312</u>	<u>1,898</u>	<u>2,236</u>	<u>2,470</u>	<u>2,678</u>	<u>2,865</u>
7	<u>8,750</u>	<u>1,317</u>	<u>1,906</u>	<u>2,245</u>	<u>2,481</u>	<u>2,689</u>	<u>2,877</u>
8	<u>8,800</u>	<u>1,323</u>	<u>1,914</u>	<u>2,254</u>	<u>2,491</u>	<u>2,700</u>	<u>2,889</u>
9	<u>8,850</u>	<u>1,328</u>	<u>1,922</u>	<u>2,263</u>	<u>2,501</u>	<u>2,711</u>	<u>2,901</u>
10	<u>8,900</u>	<u>1,333</u>	<u>1,929</u>	<u>2,273</u>	<u>2,511</u>	<u>2,722</u>	<u>2,913</u>
11	<u>8,950</u>	<u>1,339</u>	<u>1,937</u>	<u>2,282</u>	<u>2,522</u>	<u>2,734</u>	<u>2,925</u>
12	<u>9,000</u>	<u>1,344</u>	<u>1,945</u>	<u>2,291</u>	<u>2,532</u>	<u>2,745</u>	<u>2,937</u>
13	<u>9,050</u>	<u>1,350</u>	<u>1,953</u>	<u>2,301</u>	<u>2,542</u>	<u>2,756</u>	<u>2,949</u>
14	<u>9,100</u>	<u>1,355</u>	<u>1,961</u>	<u>2,310</u>	<u>2,552</u>	<u>2,767</u>	<u>2,961</u>
15	<u>9,150</u>	<u>1,360</u>	<u>1,969</u>	<u>2,319</u>	<u>2,563</u>	<u>2,778</u>	<u>2,973</u>
16	<u>9,200</u>	<u>1,366</u>	<u>1,977</u>	<u>2,329</u>	<u>2,573</u>	<u>2,789</u>	<u>2,984</u>
17	<u>9,250</u>	<u>1,371</u>	<u>1,984</u>	<u>2,338</u>	<u>2,583</u>	<u>2,800</u>	<u>2,996</u>
18	<u>9,300</u>	<u>1,377</u>	<u>1,992</u>	<u>2,347</u>	<u>2,594</u>	<u>2,812</u>	<u>3,008</u>
19	<u>9,350</u>	<u>1,382</u>	<u>2,000</u>	<u>2,356</u>	<u>2,604</u>	<u>2,823</u>	<u>3,020</u>
20	<u>9,400</u>	<u>1,387</u>	<u>2,008</u>	<u>2,366</u>	<u>2,614</u>	<u>2,834</u>	<u>3,032</u>
21	<u>9,450</u>	<u>1,393</u>	<u>2,016</u>	<u>2,375</u>	<u>2,624</u>	<u>2,845</u>	<u>3,044</u>
22	<u>9,500</u>	<u>1,398</u>	<u>2,024</u>	<u>2,384</u>	<u>2,635</u>	<u>2,856</u>	<u>3,056</u>
23	<u>9,550</u>	<u>1,403</u>	<u>2,031</u>	<u>2,394</u>	<u>2,645</u>	<u>2,867</u>	<u>3,068</u>
24	<u>9,600</u>	<u>1,409</u>	<u>2,039</u>	<u>2,403</u>	<u>2,655</u>	<u>2,878</u>	<u>3,080</u>
25	<u>9,650</u>	<u>1,414</u>	<u>2,047</u>	<u>2,412</u>	<u>2,665</u>	<u>2,889</u>	<u>3,092</u>
26	<u>9,700</u>	<u>1,420</u>	<u>2,055</u>	<u>2,422</u>	<u>2,676</u>	<u>2,901</u>	<u>3,104</u>
27	<u>9,750</u>	<u>1,425</u>	<u>2,063</u>	<u>2,431</u>	<u>2,686</u>	<u>2,912</u>	<u>3,116</u>
28	<u>9,800</u>	<u>1,430</u>	<u>2,071</u>	<u>2,440</u>	<u>2,696</u>	<u>2,923</u>	<u>3,127</u>
29	<u>9,850</u>	<u>1,436</u>	<u>2,079</u>	<u>2,449</u>	<u>2,707</u>	<u>2,934</u>	<u>3,139</u>

1	<u>9,900</u>	<u>1,441</u>	<u>2,086</u>	<u>2,459</u>	<u>2,717</u>	<u>2,945</u>	<u>3,151</u>
2	<u>9,950</u>	<u>1,447</u>	<u>2,094</u>	<u>2,468</u>	<u>2,727</u>	<u>2,956</u>	<u>3,163</u>
3	<u>10,000</u>	<u>1,452</u>	<u>2,102</u>	<u>2,477</u>	<u>2,737</u>	<u>2,967</u>	<u>3,175</u>

4 The share of the custodial parent is presumed to be spent directly for the benefit of the child.

5 Section 2. That § 25-7-6.14 be amended to read as follows:

6 25-7-6.14. ~~Unless~~ As used in this section, basic visitation means a parenting plan whereby  
7 one parent has physical custody and the other parent has visitation with the child of the parties.

8 In a basic visitation situation, unless the parties otherwise agree and the agreement is approved  
9 by the court, the court may, if deemed appropriate under the circumstances, order an abatement  
10 of not less than thirty- eight percent nor more than sixty-six percent of the child support if:

- 11 (1) A child spends ten or more days in a month with the obligor; and
- 12 (2) The ~~number of~~ days of visitation and the abatement, ~~percentage or~~ amount are  
13 specified in the court order; ~~and~~
- 14 ~~(3) The visitation is actually exercised.~~

15 The court shall allow the abatement to the obligor in the month in which the visitation is  
16 exercised, unless otherwise ordered. The abatement shall be pro-rated to the days of visitation.  
17 It shall be presumed that the visitation is exercised. If the visitation exercised substantially  
18 deviates from the visitation ordered, either party may file a petition for modification without  
19 showing any other change in circumstances.

20 As used in this section, shared responsibility means a parenting plan whereby each parent  
21 provides a suitable home for the child of the parties, the court order allows the child to spend at  
22 least one hundred twenty days in a calendar year in each home, and the parents share the duties,  
23 responsibilities, and expenses of parenting. In a shared responsibility situation, unless the parties  
24 otherwise agree and the agreement is approved by the court, the court may, if deemed

1 appropriate under the circumstances, order a shared responsibility cross credit. The cross credit  
2 shall be calculated by multiplying the combined child support obligation using both parents'  
3 monthly net incomes by 1.5 to arrive at a shared custody child support obligation. The shared  
4 custody child support obligation shall be apportioned to each parent according to his or her net  
5 income. A child support obligation is computed for each parent by multiplying that parent's  
6 portion of the shared custody child support obligation by the percentage of time the child spends  
7 with the other parent. The respective child support obligations are offset, with the parent owing  
8 more child support paying the difference between the two amounts. It shall be presumed that the  
9 shared responsibility parenting plan is exercised. If the parenting plan exercised substantially  
10 deviates from the parenting plan ordered, either party may file a petition for modification without  
11 showing any other change in circumstances.

12 The court shall consider each case individually before granting either the basic visitation or  
13 shared responsibility adjustment to insure that the adjustment does not place an undue hardship  
14 on the custodial parent or have a substantial negative effect on the child's standard of living.

15 Section 3. That § 25-7-6.7 be amended to read as follows:

16 25-7-6.7. Deductions from monthly gross income shall be allowed as follows:

- 17 (1) Income taxes withheld figured on the basis of two dependent exemptions for a single  
18 taxpayer paid monthly rather than actual amount withheld;
- 19 (2) Estimated income taxes payable, prorated monthly;
- 20 (3) FICA taxes withheld from wages or salary;
- 21 (4) Retirement fund amounts withheld or paid directly to an IRS qualified retirement plan,  
22 in a reasonable amount, ~~but, in all cases, limited to the amounts deductible for federal~~  
23 ~~income tax purposes;~~
- 24 (5) Actual business expenses of an employee, incurred for the benefit of his employer, not

1 reimbursed;

2 (6) Payments made on other support and maintenance orders.

3 Section 4. That chapter 25-7 be amended by adding thereto a NEW SECTION to read as  
4 follows:

5 If, at any time, unpaid child support arrearages exist, the court may order the support obligor  
6 to pay towards the arrearages such sums as are ordered by the court, in addition to any other  
7 remedies of the support obligee.

8 Section 5. That § 25-7-6.3 be amended to read as follows:

9 25-7-6.3. The monthly net income of each parent shall be determined by ~~his~~ the parent's gross  
10 income less allowable deductions, as set forth herein. The monthly gross income of each parent  
11 includes amounts received from the following sources:

12 (1) Compensation paid to an employee for personal services, whether salary, wages,  
13 commissions, bonus, or otherwise designated;

14 (2) Self-employment income including gain, profit, or loss from a business, farm, or  
15 profession;

16 (3) Periodic payments from pensions or retirement programs, including social security or  
17 veteran's benefits, disability payments or insurance contracts;

18 (4) Interest, dividends, rentals, royalties, or other gain derived from investment of capital  
19 assets;

20 (5) Gain or loss from the sale, trade, or conversion of capital assets;

21 (6) Unemployment insurance benefits; and

22 (7) Worker's compensation benefits;

23 (8) Benefits in lieu of compensation including military pay allowances.

24 If the income of the parents is derived from seasonal employment, or received in payments

1 other than regular, recurring payments, such income shall be annualized to determine a monthly  
2 average income.

3 Section 6. That § 25-5-18.1 be amended to read as follows:

4 25-5-18.1. The parents of any child are under a legal duty to support their child in  
5 accordance with the provisions of § 25-7-6.1, until the child attains the age of eighteen, or until  
6 the child attains the age of nineteen if ~~he~~ the child is a full-time student in a secondary school.  
7 If it is determined by the court that the child support obligation survives the death of the parent,  
8 the amount due may be modified, revoked, or commuted to a lump sum payment by the court,  
9 taking into consideration all factors deemed relevant, including the financial resources of the  
10 child and the other parent and the needs of the decedent's family.

11 Section 7. That § 25-7-6.10 be amended to read as follows:

12 25-7-6.10. Deviation from the schedule in § 25-7-6.2 shall be considered if raised by either  
13 party and made only upon the entry of specific findings based upon any of the following factors:

- 14 (1) The income of a subsequent spouse or contribution of a third party to the income or  
15 expenses of that parent but only if the application of the schedule works a financial  
16 hardship on either parent;
- 17 (2) Any financial condition of either parent which would make application of the schedule  
18 inequitable;
- 19 (3) ~~Whether the federal income tax dependent deduction for such minor child is allocated~~  
20 ~~to the benefit of the support obligor or the custodial parent~~ The federal income tax  
21 consequences arising from claiming the child as a dependent;
- 22 (4) Any special needs of the child;
- 23 (5) ~~The effect of custody and visitation provisions including whether children share~~  
24 ~~substantial amounts of time with each parent;~~

1 —(6) For agreements entered into prior to July 1, 1986, if it is established by clear and  
2 convincing evidence, that debts or property were exchanged for child support and it  
3 appears equitable to continue such arrangement;

4 ~~(7)~~(6) The effect of agreements between the parents regarding extra forms of support for the  
5 direct benefit of the child;

6 ~~(8)~~(7) The obligation of either parent to provide for subsequent natural children or  
7 stepchildren. However, an existing support order may not be modified solely for this  
8 reason; or

9 ~~(9)~~(8) The voluntary act of either parent which reduces that parent's income.

10 Section 8. That § 25-7-6.13 be amended to read as follows:

11 25-7-6.13. All orders for support entered and in effect prior to July 1, ~~1997~~ 2001, may be  
12 modified in accordance with this chapter without requiring a showing of a change in  
13 circumstances from the entry of the order.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0270

SENATE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1045** - 02/21/2001

Introduced by: The Committee on State Affairs at the request of the Department of  
Revenue

1 FOR AN ACT ENTITLED, An Act to prohibit the disclosure and use of personal information  
2 contained in certain motor vehicle records.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Terms used in this Act mean:

7 (1) "Department," the Department of Revenue;

8 (2) "Disclose," to knowingly engage in any practice or conduct to make available and  
9 make known personal information contained in a motor vehicle record about a person  
10 to any other person, organization, or entity, by any means of communication;

11 (3) "Express consent," consent in writing, and includes consent that is conveyed  
12 electronically that bears an electronic signature;

13 (4) "Individual record," a motor vehicle record containing personal information about a  
14 designated person who is the subject of the record as identified in a request;

1 (5) "Motor vehicle record," any record that pertains to a motor vehicle registration,  
2 motor vehicle title, or document issued by the department or any other state or local  
3 agency authorized to issue any such forms of credentials;

4 (6) "Personal information," information that identifies a person, including a social security  
5 number, driver identification number, name, address (but not the five-digit zip code),  
6 telephone number, and medical or disability information, but does not include  
7 information on vehicular accidents, driving or equipment-related violations, or  
8 registration status;

9 (7) "Record," includes any book, paper, photograph, photostat, card, film, tape,  
10 recording, electronic data, printout, or other documentary material regardless of  
11 physical form or characteristics.

12 Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
13 follows:

14 Notwithstanding any other provision of state law to the contrary, except as provided in  
15 sections 3 to 5, inclusive, of this Act, the department and any officer, employee, agent, or  
16 contractor thereof may not disclose personal information about any person obtained by the  
17 department in connection with a motor vehicle record. Under no circumstances may a person's  
18 social security number or medical or disability information from a motor vehicle record be  
19 disclosed, except for the purposes permitted by subdivisions (1), (3), and (5) of section 5 of this  
20 Act.

21 Section 3. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
22 follows:

23 Personal information shall be disclosed for use in connection with matters of motor vehicle  
24 or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or

1 advisories, performance monitoring of motor vehicles and dealers by motor vehicle  
2 manufacturers, and removal of nonowner records from the original owner records of motor  
3 vehicle manufacturers to carry out the purposes of Titles I and IV of the Anti Car Theft Act of  
4 1992, 15 U.S.C. 2021 et seq., as of January 1, 2001, the Automobile Information Disclosure  
5 Act, 15 U.S.C. 1231 et seq., as of January 1, 2001, and the Clean Air Act, 42 U.S.C. 7401 et  
6 seq., as of January 1, 2001, chapters 301, 305, and 321-331 of Title 49, as of January 1, 2001,  
7 and agency regulations enacted or adopted pursuant to the authority of, or to attain compliance  
8 with, these Acts of Congress.

9 Section 4. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
10 follows:

11 Personal information may be disclosed to any person who demonstrates, in such form and  
12 manner as the department prescribes, that express consent of the person who is the subject of  
13 the information has been obtained.

14 Section 5. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
15 follows:

16 Personal information may be disclosed to any person by the department on proof of the  
17 identity of the person requesting the record and representation by such person that the use of the  
18 personal information will be strictly limited to the following described uses:

19 (1) For use by any government agency, including any court or law enforcement agency,  
20 in carrying out its functions, or any private person or entity acting on behalf of a  
21 government agency in carrying out its functions;

22 (2) For use in the normal course of business by a legitimate business or its agents,  
23 employees, or contractors, but only under the following circumstances:

24 (a) To verify the accuracy of personal information submitted by the individual to

1 the business or its agents, employees, or contractors; and

2 (b) If such information as submitted is not correct or is no longer correct, to obtain  
3 the correct information for the purposes of preventing fraud by pursuing legal  
4 remedies against, or recovering on a debt or security interest against, the  
5 individual;

6 (3) For use in connection with any civil, criminal, administrative, or arbitral proceeding  
7 in any court or government agency or before any self-regulatory body, including the  
8 service of process, investigation in anticipation of litigation, and the execution or  
9 enforcement of judgments and orders, or pursuant to an order of any court;

10 (4) For use in research activities, and for use in producing statistical reports, so long as  
11 the personal information is not published, redisclosed, or used to contact individuals;

12 (5) For use by any insurer or insurance support organization, or by a self-insured entity,  
13 or its agents, employees, or contractors, in connection with claims investigation  
14 activities, anti-fraud activities, rating, or underwriting;

15 (6) For use in providing notice to the owners or lienholders of towed or impounded  
16 vehicles;

17 (7) For use by any licensed private investigative agency or licensed security service for  
18 any purpose permitted under this section;

19 (8) For use in connection with the operation of private toll transportation facilities;

20 (9) For any other use specifically authorized under the law of the state that holds the  
21 record, if such use is related to the operation of a motor vehicle or public safety.

22 Section 6. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
23 follows:

24 The department may, prior to the disclosure of personal information as permitted under

1 sections 2 to 5, inclusive, of this Act, require the requesting person to meet conditions for the  
2 purposes of obtaining reasonable assurance concerning the identity of such requesting person,  
3 and, to the extent required, that the use will be only as authorized, or the consent of the person  
4 who is the subject of the information has been obtained. Such conditions may include the making  
5 and filing of a written application in such form and containing such information and certification  
6 requirements as the department may prescribe.

7 Section 7. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
8 follows:

9 Any authorized recipient, except a recipient of an individual record under section 6 of this  
10 Act, who resells or rediscloses personal information shall maintain for a period of at least five  
11 years records as to the information obtained and the permitted use for which it was obtained and  
12 shall make such records available for inspection by the department, upon request.

13 Section 8. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
14 follows:

15 Any person who requests disclosure of personal information from department records and  
16 who misrepresents his or her identity or knowingly makes a false statement to the department  
17 on any application required to be submitted pursuant to this Act is guilty of a Class 1  
18 misdemeanor. However, if any person uses the personal information obtained pursuant to this  
19 Act to commit a crime of violence as defined in § 22-1-2, the person is guilty of a Class 5 felony.

20 Section 9. That § 32-5-90.2 be repealed.

21 ~~32-5-90.2. The department may issue lists of motor vehicles and information relating to~~  
22 ~~motor vehicles if issuance is necessary for the enforcement of this title or if the list or information~~  
23 ~~is needed to protect the public safety and welfare. In addition, any motor vehicle title or~~  
24 ~~registration list maintained by the department may be made available to the public for a~~

1 ~~reasonable fee. State agencies are exempt from payment of this fee for approved state use. The~~  
2 ~~lists may not be resold. The secretary may promulgate rules pursuant to chapter 1-26 to establish~~  
3 ~~criteria for the sale and to establish the fee for the sale of such lists.~~

4 Section 10. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 For the purpose of license renewal, any person in possession of a motor vehicle title or  
7 license renewal certificate provided by the state or the county may renew the vehicle's  
8 registration on behalf of the owner. Presentation of the motor vehicle title or license renewal  
9 certificate by anyone other than the owner is deemed consent of the vehicle owner. Any person  
10 who knowingly misrepresents or makes any false statement for license renewal is guilty of a  
11 Class 1 misdemeanor.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

841E0747

SENATE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1218** - 02/23/2001

Introduced by: Representatives Derby and Peterson (Bill) and Senator Sutton (Dan)

1 FOR AN ACT ENTITLED, An Act to prohibit directed suretyship.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. No state, county, or municipal employee, and no person acting or purporting to  
4 act on behalf of such employee, or any state, county, or municipal agency, may, with respect to  
5 any public building or construction contract which is about to be or which has been competitively  
6 bid or negotiated, require the bidder to make application to or furnish financial data to any  
7 particular insurance or surety company or producer, or to obtain, or procure, any surety bond  
8 that is procured in any owner-controlled insurance program, or that is specified in connection  
9 with such contract or by law from any particular insurance or surety company or producer.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

451E0693

## HOUSE EDUCATION COMMITTEE ENGROSSED NO. **HB 1227** - 02/06/2001

Introduced by: Representatives Teupel, Derby, and Rhoden and Senators Apa and Kleven

1 FOR AN ACT ENTITLED, An Act to include certain students in the state aid to education  
2 formula.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-13-1.8 be amended to read as follows:

5 13-13-1.8. ~~Students attending the Black Hills Forest High School in Lawrence County may~~  
6 ~~not be included by any school district in its average daily membership for purposes of state aid~~  
7 ~~to education.~~ Students attending the Black Hills Forest High School in Lawrence County shall  
8 be included by their resident school district in its average daily membership calculation for  
9 purposes of state aid to education if the resident school district is paying tuition for placement  
10 at the Black Hills Forest High School.

11 Section 2. The per student allocation for any student identified in § 13-13-1.8 may not  
12 exceed the amount of tuition paid by the resident school district for that student.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0605      **HOUSE APPROPRIATIONS COMMITTEE ENGROSSED**  
**NO. HB 1232 - 02/15/2001**

Introduced by: The Committee on Appropriations at the request of the Governor

1    FOR AN ACT ENTITLED, An Act to make an appropriation for the implementation and  
2        development of the electronic-government project and to declare an emergency.

3    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4        Section 1. There is hereby appropriated from the general fund the sum of one hundred  
5    seventy-five thousand dollars (\$175,000), or so much thereof as may be necessary, to the Bureau  
6    of Information and Telecommunications to provide for the implementation and development of  
7    the electronic-government project.

8        Section 2. The commissioner of the Bureau of Information and Telecommunications shall  
9    approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by  
10   this Act.

11        Section 3. Whereas, this Act is necessary for the support of the state government and its  
12   existing public institutions, an emergency is hereby declared to exist, and this Act shall be in full  
13   force and effect from and after its passage and approval.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

472E0638

SENATE COMMERCE COMMITTEE ENGROSSED NO.

**HB 1253** - 02/23/2001

Introduced by: Representatives Begalka, Fryslie, Jaspers, Konold, Lange, and Pummel and  
Senators Koskan, Brosz, Brown (Arnold), Greenfield, and Moore

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding dealer franchises and  
2 to include outdoor power equipment.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 37-5-5 be amended to read as follows:

5 37-5-5. If any person, firm, or corporation, or their successors, engaged in the business of  
6 selling and retailing farm implements or machinery and repair parts for farm implements or  
7 machinery, or in the business of selling and retailing industrial and construction equipment and  
8 repair parts for industrial and construction equipment, or in the business of selling and retailing  
9 outdoor power equipment and repair parts for outdoor power equipment, or in the business of  
10 selling and retailing office furniture, equipment, and supplies and repair parts for office furniture,  
11 equipment, and supplies, or in the business of selling and retailing automobiles, trucks,  
12 motorcycles, boats, personal watercraft, all-terrain vehicles, or snowmobiles or repair parts for  
13 automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain vehicles, or snowmobiles  
14 enters into a written contract evidenced by franchised agreement, sales agreement, dealer

1 agreement, or security agreement, or other form of agreement or arrangement of like effect, the  
2 term, contract, as used in §§ 37-5-5 to 37-5-9, inclusive, means any of the foregoing and their  
3 successors. If such person, firm, or corporation, or their successors maintains a stock of parts  
4 or complete or whole machines, or attachments with any wholesaler, manufacturer, or distributor  
5 of farm implements or machinery or repair parts therefor, or industrial and construction  
6 equipment or repair parts therefor, or outdoor power equipment or repair parts therefor, or  
7 office furniture, equipment, and supplies or repair parts therefor, or automobiles, trucks,  
8 motorcycles, boats, personal watercraft, all-terrain vehicles, or snowmobiles, or repair parts  
9 therefor, and either the wholesaler, manufacturer, or distributor, or their successors, or the  
10 retailer, or successor, desires to cancel or discontinue the contract, such wholesaler,  
11 manufacturer, or distributor, or successor, shall pay to the retailer, or successor, unless the  
12 retailer, or successor, should desire to keep the merchandise, a sum equal to one hundred percent  
13 of the net cost of all current unused complete farm implements, machinery and attachments,  
14 industrial and construction equipment and attachments, outdoor power equipment and  
15 attachments, office furniture, equipment, and supplies, and attachments, and automobiles, trucks,  
16 motorcycles, boats, personal watercraft, all-terrain vehicles, and snowmobiles, including  
17 transportation and reasonable assembly charges which have been paid by the retailer and ~~eighty-~~  
18 ~~five~~ ninety-five percent of the current net prices on repair parts, including superseded parts, listed  
19 in a current price list or catalog which parts had previously been purchased from the wholesaler,  
20 manufacturer, or distributor, or predecessor, and held by the retailer on the date of the  
21 cancellation or discontinuance of the contract. The wholesaler, manufacturer, or distributor, or  
22 successor, shall also pay the retailer a sum equal to five percent of the current net price of all  
23 parts returned for the handling, packing, and loading of the parts back to the wholesaler,  
24 manufacturer, or distributor. Upon the payment of the sum equal to one hundred percent of the

1 net cost of the farm implements, machinery and attachments, industrial and construction  
2 equipment and attachments, outdoor power equipment and attachments, office furniture,  
3 equipment, and supplies, and attachments, and automobiles, trucks, motorcycles, boats, personal  
4 watercraft, all-terrain vehicles, and snowmobiles, plus transportation and reasonable assembly  
5 charges and ~~eighty-five~~ ninety-five percent of the current net prices on repair parts, plus five  
6 percent handling and loading costs on repair parts only, plus freight charges which have been  
7 paid by the retailer, or automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain  
8 vehicles, or snowmobiles, plus freight charges, or repair parts therefor, plus five percent handling  
9 and loading costs on repair parts only, the title to the farm implements, farm machinery, industrial  
10 and construction equipment, outdoor power equipment, office furniture, equipment, and  
11 supplies, and repair parts, or automobiles, trucks, motorcycles, boats, personal watercraft,  
12 all-terrain vehicles, or snowmobiles, or parts therefor, shall pass to the manufacturer, wholesaler,  
13 or distributor making the payment, and the manufacturer, wholesaler, or distributor, is entitled  
14 to the possession of the farm implements, industrial and construction equipment, outdoor power  
15 equipment, office furniture, equipment, and supplies, or automobiles, trucks, motorcycles, boats,  
16 personal watercraft, all-terrain vehicles, or snowmobiles, or repair parts therefor.

17 Section 2. That chapter 37-5 be amended by adding thereto a NEW SECTION to read as  
18 follows:

19 A wholesaler, manufacturer, or distributor shall also repurchase from the retailer and the  
20 retailer shall sell any specialized computer hardware or software, specialized tool, or signage  
21 which the wholesaler, manufacturer, or distributor required the retailer to purchase or lease as  
22 part of the retail agreement. Upon delivery to the wholesaler, manufacturer, or distributor of any  
23 such specialized computer hardware or software, tool, or signage, the wholesaler, manufacturer,  
24 or distributor shall pay to the retailer:

- 1       (1) For such computer hardware and software specifically required by the wholesaler,  
2            manufacturer, or distributor purchased within the last five years, the net cost less  
3            twenty percent per year depreciation. For purposes of this subdivision, the term,  
4            software, means software that is sourced from the wholesaler, manufacturer, or  
5            distributor, or its approved vendor, to meet the minimum requirements of the  
6            wholesaler, manufacturer, or distributor;
- 7       (2) For current logoed signage constituting the principal outdoor signage required by the  
8            wholesaler, manufacturer, or distributor, identifying the retailer as its representative,  
9            the original net cost to the dealer less fifteen percent per year, but in no case less than  
10           twenty percent of the original net cost to the dealer;
- 11      (3) For any specialized diagnostic or repair tool required by the wholesaler, manufacturer,  
12            or distributor which is unique to the product line and in complete, usable condition,  
13            seventy-five percent of the original net cost to the dealer if within ten years of  
14            purchase by the retailer, provided that new, unused specialized repair tools applicable  
15            to the products of the wholesaler, manufacturer, or distributor shall be purchased at  
16            one hundred percent of the original net cost to the dealer.

17      Section 3. That § 37-5-7 be amended to read as follows:

18      37-5-7. The prices of farm implements, machinery, and repair parts therefor, and of industrial  
19      and construction equipment and repair parts therefor, and outdoor power equipment and repair  
20      parts thereof, and of office furniture, equipment, and supplies and repair parts therefor, and of  
21      automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain vehicles, or  
22      snowmobiles, and repair parts therefor, required to be paid to any retail dealer as provided in  
23      § 37-5-5, shall be determined by taking one hundred percent of the net cost on farm implements,  
24      machinery, and attachments, industrial and construction equipment; and attachments, outdoor

1 power equipment and attachments, office furniture, equipment, and supplies; and attachments,  
2 automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain vehicles, and  
3 snowmobiles, and ~~eighty-five~~ ninety-five percent of the current net price of repair parts therefor  
4 as shown upon the manufacturer's, wholesaler's, or distributor's price lists or catalogues in effect  
5 at the time the contract is canceled or discontinued and specialized computer hardware and  
6 software, specialized tools, or signage as specified in section 2 of this Act. For purposes of  
7 §§ 37-5-5 to 37-5-9, inclusive, if any retailer, of farm implements or machinery or repair parts  
8 therefor, industrial and construction equipment and repair parts therefor, and outdoor power  
9 equipment and repair parts therefor, has actual proof of purchase of any repair parts or other  
10 merchandise from any manufacturer, wholesaler, or distributor, or its predecessor, the repair  
11 parts even though not currently listed in any price list or catalog and all other merchandise,  
12 purchased within ten years of the dealership cancellation or termination shall be repurchased at  
13 the original purchase price.

14 Section 4. That § 37-5-7.1 be amended to read as follows:

15 37-5-7.1. The payments to be made to the retailer pursuant to §§ 37-5-5 to 37-5-9, inclusive,  
16 shall be made ~~not~~ no later than ~~six months~~ sixty days from the date the ~~contract is canceled or~~  
17 ~~discontinued~~; merchandise is received by the wholesaler, manufacturer, or distributor and shall  
18 be accompanied by a final detailed statement of account thereon.

19 Section 5. That § 37-5-8 be amended to read as follows:

20 37-5-8. If any manufacturer, wholesaler, or distributor of farm machinery, farm implements,  
21 and repair parts for farm machinery, and farm implements, or of industrial and construction  
22 equipment and repair parts for industrial and construction equipment, outdoor power equipment  
23 and repair parts for outdoor power equipment, or of office furniture, equipment, and supplies  
24 and repair parts for office furniture, equipment, and supplies, or of automobiles, trucks,

1 motorcycles, boats, personal watercraft, all-terrain vehicles, and snowmobiles, and repair parts  
2 therefor, or their successors, upon cancellation of a contract by either a retailer or a  
3 manufacturer, wholesaler, or distributor, or their successor, fails or refuses to make payment to  
4 the dealer as is required by § 37-5-5, or refuses to supply farm machinery, farm implements, and  
5 repair parts for farm machinery and farm implements, or industrial and construction equipment,  
6 and repair parts for industrial and construction equipment, outdoor power equipment and repair  
7 parts for outdoor power equipment, or of office furniture, equipment, and supplies and repair  
8 parts for office furniture, equipment, and supplies, or automobiles, trucks, motorcycles, boats,  
9 personal watercraft, all-terrain vehicles, or snowmobiles, or repair parts therefor, to any retailer  
10 of the products, who may have a retail sales contract dated after July 1, 1969, in the case of  
11 contracts covering farm machinery, implements and attachments or automobiles and trucks, or  
12 after July 1, 1970, in the case of contracts covering industrial and construction equipment and  
13 attachments, or after July 1, 2001, in the case of the contracts covering outdoor power  
14 equipment and attachments, or after July 1, 1995, in the case of contracts covering office  
15 furniture, equipment, and supplies, or after July 1, 1973, in the case of contracts covering  
16 motorcycles, or after July 1, 2000, in the case of contracts covering boats, personal watercraft,  
17 all-terrain vehicles, or snowmobiles, or a contract with no expiration date or a continuing  
18 contract in force or effect on July 1, 1969, in the case of contracts covering farm machinery,  
19 implements and attachments or automobiles and trucks, or in force and effect on July 1, 1970,  
20 in the case of contracts covering industrial and construction equipment and attachments, or in  
21 force and effect on July 1, 1995, in the case of contracts covering office furniture, equipment,  
22 and supplies, or in force and effect on July 1, 2001, in the case of the contracts covering outdoor  
23 power equipment and attachments, or in force and effect on July 1, 1973, in the case of contracts  
24 covering motorcycles, or after July 1, 2000, in the case of contracts covering boats, personal

1 watercraft, all-terrain vehicles, or snowmobiles, with the manufacturer, wholesaler, or  
2 distributor, the manufacturer, wholesaler, or distributor, or their successor, is liable in a civil  
3 action to be brought by the retailer for one hundred percent of the net cost of the farm  
4 implements, machinery and attachments, industrial and construction equipment and attachments,  
5 outdoor power equipment and attachments, office furniture, equipment, and supplies and  
6 attachments, automobiles and trucks, and motorcycles, or after July 1, 2000, in the case of  
7 contracts covering boats, personal watercraft, all-terrain vehicles, or snowmobiles, plus  
8 transportation charges which have been paid by the retailer and ~~eighty-five~~ ninety-five percent  
9 of the current net price of repair parts, plus five percent for handling and loading plus freight  
10 charges which have been paid by the retailer, plus charges for any specialized computer hardware  
11 and software, specialized tool, and signage as specified in section 2 of this Act.

12 Section 6. That § 37-5-9 be amended to read as follows:

13 37-5-9. In the event of the death of the retail dealer or majority stockholder in a corporation  
14 operating a retail dealership in the business of selling and retailing farm implements or repair  
15 parts for farm implements, or in the business of selling industrial and construction equipment or  
16 repair parts therefor, or in the business of selling outdoor power equipment or repair parts  
17 therefor, or in the business of selling and retailing office furniture, equipment, and supplies or  
18 repair parts therefor, or in the business of selling and retailing automobiles, trucks, motorcycles,  
19 boats, personal watercraft, all-terrain vehicles, or snowmobiles, or repair parts therefor, the  
20 wholesaler, distributor, or manufacturer who supplied the merchandise, or its successor, shall  
21 repurchase from the heir or heirs of the retail dealer or majority stockholder the merchandise at  
22 a sum equal to one hundred percent of the net cost of all current unused complete farm  
23 implements, machinery and attachments, industrial and construction equipment and attachments,  
24 outdoor power equipment and attachments, office furniture, equipment, and supplies and

1 attachments, and automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain  
2 vehicles, and snowmobiles, including transportation and reasonable assembly charges which have  
3 been paid by the retailer, and ~~eighty-five~~ ninety-five percent of the current net prices on repair  
4 parts, including superseded parts, listed in current price lists or catalogues, plus a sum equal to  
5 five percent of the current net price of all parts returned for handling, packing, and loading of  
6 the parts, and any specialized computer hardware or software, specialized tool, or signage as  
7 specified in section 2 of this Act, unless the heir or heirs agree to continue to operate the retail  
8 dealership. If the heir or heirs do not agree to continue to operate the retail dealership, it is  
9 deemed a cancellation or discontinuance of contract by the retailer under the provisions of  
10 § 37-5-5, and as such the heir or heirs may exercise any rights and privileges under §§ 37-5-5  
11 to 37-5-9, inclusive.

12 Section 7. That § 37-5-9 be amended to read as follows:

13 37-5-9. In the event of the death of the retail dealer or majority stockholder in a corporation  
14 operating a retail dealership in the business of selling and retailing farm implements or repair  
15 parts for farm implements, or in the business of selling industrial and construction equipment or  
16 repair parts therefor, or in the business of selling outdoor power equipment or repairs therefor,  
17 or in the business of selling and retailing office furniture, equipment, and supplies or repair parts  
18 therefor, or in the business of selling and retailing automobiles, trucks, motorcycles, boats,  
19 personal watercraft, all-terrain vehicles, or snowmobiles, or repair parts therefor, the wholesaler,  
20 distributor, or manufacturer who supplied the merchandise, or its successor, shall repurchase  
21 from the heir or heirs of the retail dealer or majority stockholder the merchandise at a sum equal  
22 to one hundred percent of the net cost of all current unused complete farm implements,  
23 machinery and attachments, industrial and construction equipment and attachments, outdoor  
24 power equipment and attachments, office furniture, equipment, and supplies and attachments,

1 and automobiles, trucks, motorcycles, boats, personal watercraft, all-terrain vehicles, and  
2 snowmobiles, including transportation and reasonable assembly charges which have been paid  
3 by the retailer, and ~~eighty-five~~ ninety-five percent of the current net prices on repair parts,  
4 including superseded parts, listed in current price lists or catalogues, plus a sum equal to five  
5 percent of the current net price of all parts returned for handling, packing, and loading of the  
6 parts any specialized computer hardware or software, specialized tool, or signage as specified  
7 in section 2 of this Act, unless the heir or heirs agree to continue to operate the retail dealership.  
8 If the heir or heirs do not agree to continue to operate the retail dealership, it is deemed a  
9 cancellation or discontinuance of contract by the retailer under the provisions of § 37-5-5, and  
10 as such the heir or heirs may exercise any rights and privileges under §§ 37-5-5 to 37-5-9,  
11 inclusive.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0809

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **HB 1278** - 02/15/2001

Introduced by: The Committee on State Affairs at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to revise the definition of barratry.

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 Section 1. That § 20-9-6.1 be amended to read as follows:

4 20-9-6.1. Barratry is the assertion of a frivolous or malicious claim or defense or the filing  
5 of any document with malice or in bad faith by a party in a civil action ~~under Title 15~~. Barratry  
6 constitutes a cause of action which may be asserted by filing a pleading in the same civil action  
7 in which the claim of barratry arises or in a subsequent action. A claim of barratry shall be  
8 determined in the same manner as any other substantive cause of action asserted in that civil  
9 action.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

145E0792

SENATE EDUCATION COMMITTEE ENGROSSED NO.

**HB 1294** - 02/22/2001

Introduced by: Representatives Teupel, Garnos, Juhnke, and McCoy and Senators Apa, Kleven, and Whiting

1 FOR AN ACT ENTITLED, An Act to provide a financial incentive for school districts to  
2 consolidate.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. If two or more school districts consolidate after July 1, 2001, the new school  
5 district is entitled to three hundred dollars per average daily membership as defined in § 13-13-  
6 10.1, up to a maximum of four hundred average daily membership from each school district or  
7 partial school district as it existed prior to consolidation for the first year after consolidation. If  
8 two or more school districts consolidate after July 1, 2001, the new school district is entitled to  
9 two hundred dollars per average daily membership as defined in § 13-13-10.1, up to a maximum  
10 of four hundred average daily membership from each school district or partial school district as  
11 it existed prior to consolidation for the second year after consolidation. If two or more school  
12 districts consolidate after July 1, 2001, the new school district is entitled to one hundred dollars  
13 per average daily membership as defined in § 13-13-10.1, up to a maximum of four hundred  
14 average daily membership from each school district or partial school district as it existed prior

1 to consolidation for the third year after consolidation.

2 Section 2. For the purposes of this Act, no student may be counted more than once.

3 Section 3. The entitlement provided by this Act shall be paid by the Department of Education  
4 and Cultural Affairs out of any money appropriated for the purposes of this Act.

5 Section 4. The restriction on transfers imposed by § 13-16-26.2 does not apply to any money  
6 received by a school district under the provisions of this Act.

7 Section 5. The Department of Education and Cultural Affairs may promulgate rules pursuant  
8 to chapter 1-26 to implement the provisions of this Act.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0345

HOUSE STATE AFFAIRS COMMITTEE ENGROSSED

NO. **SB 25** - 02/21/2001

**This bill has been extensively amended (houghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: The Committee on State Affairs at the request of the Department of Health

1 FOR AN ACT ENTITLED, An Act to require the use of safety seat belts by passenger vehicle  
2 occupants under eighteen years of age.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any operator of a passenger vehicle operated on a public street or highway in this state  
7 transporting a passenger who is at least five and under eighteen years of age shall assure that the  
8 passenger is wearing a properly adjusted and fastened safety seat belt system, required to be  
9 installed in the passenger vehicle if manufactured pursuant to Federal Motor Vehicle Safety  
10 Standard Number 208 (49 C.F.R. 571.208) in effect January 1, 1989, at all times when the  
11 vehicle is in motion. A violation of this section is a petty offense.

12 Section 2. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as  
13 follows:

14 Any operator of any passenger vehicle operated on a public street or highway in this state,

1 who is at least fourteen years of age and under eighteen years of age, shall wear a properly  
2 adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if  
3 manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R.  
4 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this  
5 section is a petty offense.

6 Section 3. That chapter 32-37 be amended by adding thereto a NEW SECTION to read as  
7 follows:

8 Any passenger of any passenger vehicle operated on a public street or highway in this state,  
9 who is at least fourteen years of age and under eighteen years of age, shall wear a properly  
10 adjusted and fastened safety seat belt system, required to be installed in the passenger vehicle if  
11 manufactured pursuant to Federal Motor Vehicle Safety Standard Number 208 (49 C.F.R.  
12 571.208) in effect January 1, 1989, at all times when the vehicle is in motion. A violation of this  
13 section is a petty offense.

14 Section 4. That § 32-37-2 be amended to read as follows:

15 32-37-2. The provisions of ~~§ 32-37-1~~ this chapter do not apply:

16 ~~(1) If all seating positions equipped with seat belts are occupied, or~~

17 ~~(2) In in~~ passenger cars manufactured before 1966 that have not been equipped with seat  
18 belts.

# State of South Dakota

SEVENTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2001

400E0247

## HOUSE ENGROSSED NO. **SB 48** - 02/23/2001

**This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsor.**

Introduced by: The Committee on Retirement Laws at the request of the South Dakota Retirement System

1 FOR AN ACT ENTITLED, An Act to require an interim study of certain eligibility requirements  
2 within the South Dakota Retirement System and the impact of members who retire and are  
3 rehired.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. The Retirement Laws Committee shall conduct an interim study of the eligibility  
6 requirements under which a Class A member of the South Dakota Retirement System can retire  
7 without a reduction in benefits, and of the impact of participating members who retire and are  
8 subsequently reemployed.